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We also carry a nice line of
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JAMES T. DEAN & CO.

16 Mexican Raiders Free

(Continued from Page 1)

penalty of death. If the foregoing facts are true, can it possibly be contended that these men were responsible for what they were compelled to do?

There Must Be Malice.

All crimes designated by law as being malicious per se, that is, bad in themselves, which otherwise explained would mean that line of human conduct which is repulsive to human nature, and contrary to our natural sense of right and wrong, are predicated on malice, for no human act, be it ever so reprehensible, can be called a crime that is done either innocently or without full knowledge of the wrong being done; there must be malice, that is, ill will, meaning a willful, deliberate and premeditated intention and desire to do wrong. Can we say that such motives were in the hearts of these men who did not know where they were going, what they were going to do, or why, but who on the other hand, were simply carrying out the instructions, orders and commands of their superiors, when they well knew that a failure to comply therewith and disobedience to such orders might mean their death?

It is perfectly plain to me that under the circumstances, these men were not guilty of murder; nor are

MICKIE SAYS:

"I'M A MEXICAN AND I KNOW I'M A MEXICAN. I KNOW I'M A MEXICAN AND I KNOW I'M A MEXICAN. I KNOW I'M A MEXICAN AND I KNOW I'M A MEXICAN."



I the first one to arrive at this conclusion, in similar cases. Case of Arce et al. vs. State, supra, is, in its leading aspects and facts quite in point with this case. In the case of Arce above referred to, a detachment of Mexican troops attacked a body of United States troops on the Texas side of the line; in the fight there were some casualties, deaths and wounded on both sides, and the Mexican soldiers, Jose Antonio Arce, Vicente Lira, Pablo Sanchez, Jesus Garcia, Isabel de los Santos, and Francisco Gutierrez Zapata were taken prisoners, were indicted, charged with the crime of killing William Oberlies, a United States soldier, were tried, convicted of murder in the first degree, and sentenced to death. From the verdict of the jury and the sentence of the court the defendants appealed to the Court of Criminal Appeals of the State of Texas, and among other points considered by the court and discussed in its opinion

GIVES WIFE

GLYCERINE MIXTURE

A retired merchant whose wife suffered years from catarrh of the stomach finally gave her simple glycerine, buckhorn bark, etc., as mixed in Adler-Like. ONE bottle produced great results. Because Adler-Like acts on BOTH upper and lower bowel it removes all foul matter which poisoned stomach. It helps ANY CASE sour stomach or gas on stomach. Often CURES constipation. Prevents appendicitis. Columbus Drug Company.

son, to the use of individual weapons, which I have discussed in this case, and to that contention of the Criminal Court of Appeals of Texas has the following to say:

There is another interesting question or fact in the case which may be mentioned incidentally to the other questions. Gen. Milla was used as a witness, among them the two paganos who accompanied the two troops of cavalry on the night of the fight. From their testimony, a general statement may be made to the effect that these Mexican soldiers would be controlled by their officers in command, and be obedient to them; that the command was organized under the authority of Carranza or de facto government of Mexico and were in fact a military command. By this testimony it seems that, wherever and under such circumstances, the soldiers must obey the order of their superiors, and failure to do so would subject them to discipline which ranges from minor punishment to death, according to the rule which has been violated by those in authority. When a soldier is ordered to fight, it is his duty to do so, and he may forfeit his life on refusal to do so. If he deserts under certain circumstances he may be shot or executed. These Mexican soldiers were ordered by their officers, commanded by the officers, headed by the officers to make the fight; the officers led them into battle and they fought. Some were killed, others escaped and fled. Some were wounded, one of them was captured and is under sentence in this case. It seems while being tried he was suffering severely from a wound. One at least of the defendants claimed to have been forced to go into battle by his commanding officer. He did not desire to put up a fight one night, but under the rules of warfare if he deserted he would be shot, or if he disobeyed orders and failed to engage in the fight he might forfeit his life.

If the state courts had jurisdiction of these defendants, we are of the opinion the conviction is erroneous.

From any viewpoint of this case, we are of opinion that this judgment should be reversed, and the cause remanded.

Pleaded Guilty on Others' Advice.

As above stated these defendants all pleaded guilty to murder in the second degree; and they say that they did so on advice of others; I am inclined to believe that this is true, because certainly not one of them knows the difference between murder in the first degree, nor knows how many degrees of murder there are under our laws, and not one of them knows and understands what murder in the second degree is; in fact, they are absolutely ignorant of our laws and of our judicial procedure. Under their plea, however, the court had absolutely nothing to do except to perform a plain duty imposed upon him by law, namely, the passing of sentence. Had these men had a regular trial upon the facts of the case, I am inclined to believe that the Honorable Judge who passed sentence upon their plea of guilty, would have directed an acquittal.

O. A. LABAZOZO.

75 "DRY" OFFICERS FOR ALBUQUERQUE, N. M.

A death blow to the operators of stills in New Mexico, came today when it was announced that the headquarters for federal prohibition officers which has heretofore been at El Paso is to be moved to Albuquerque in the next few days.

Instead of just a few prohibition officers searching for stills, there are to be between 70 and 80 officers working out of the local office in quest of manufacturers of liquor, according to the announcement of J. C. Johnson, chief clerk to Capt. P. E. Perkins, agent who is to be in charge of the local headquarters.

This office is not only to serve as the state headquarters for enforcement of the prohibition acts but also as headquarters for enforcement of the Harrison-narcotic act of the internal revenue department.

Persons wishing to make wine for their own use will be informed how.

COLUMBUS PLEASANT

BY QUICK RESULTS
Everyone is pleased with the quick results of simple wet-laxol, camphor, hydrastis, etc., as mixed in Lavoplo eye wash. One year's eyes were so badly strained he could not read without pain. Two applications relieved him. A lady with weak, inflamed eyes was greatly helped by ONE bottle. We guarantee a such bottle of Lavoplo to help ANY CASE weak, strained or inflamed eyes. Parlor Drug Store, Columbus, N. M.

JOSE ALENCAR



The new Brazilian ambassador at Washington.

NON-PARTISAN LEAGUE NEWSPAPER GOES IN HANDS OF REVENUE

Aberdeen, N. D., Nov. 26.—The Northwest Square Deal non-partisan league daily newspaper here today went into the hands of the revenue. A petition filed in circuit court Tuesday by stockholders states that farmers of this vicinity invested \$50,000.52 in cash and notes in support of the paper since January of this year.

In addition, a mortgage of \$5,000 against the real estate of the newspaper and a running indebtedness of \$1,500 monthly is said to have been incurred by the publication. The mortgagee plant is the sole asset of the firm, stockholders declare.

INDICTMENT NUMBERS WERE INCORRECT; MEN FREED

There may be nothing in a name, but Leo A. Epple and Bernardino Olguin were freed from a federal indictment by a number, at least.

The car number should have been 2205 and in the indictment it was given as 2206. Judge Colin Nesbitt told the members of the federal jury, and instructed them to return a verdict of not guilty. They did and Epple and Olguin were released.

Mr. P. LaDuke, Farmer, Says "You Bet Rats Can Bite Through Metal."

"I had my foot hit with a rat last year, rats got through pretty soon. Was out \$100. A \$25 pig of RAT-SNAP killed as many rats that I've never been without it since. Our cattle dog never touched RAT-SNAP." Three signs, 30c, 60c, 80c. Sold and guaranteed by A. D. Frost and Columbus Drug Company.

NOT BARGAINS JUST NECESSITIES

Blue Blotting Paper, large sheets, for office desks; also Thumb Tacks to keep it in place.

Writing Papers for ladies and gentlemen; all colors and sizes. Ink—all colors, and Ink Wells.

WIRE WASTE BASKETS LETTER FILES INVOICE FILES (The Large size.)

Large stock Crepe Papers, all colors, for almost every use.

The Book Shop

(The Courier Job Printing Dept.)
KILGORE & BURKHHEAD,
Proprietors



Does Your Letter-head Get It?

The appearance of your letter-head may mean success or failure. On yourself justice in the quality of your business correspondence.

We do not advocate extravagance. We recommend the use of a very moderate priced standard paper—

WANDERL BRAND
—which has been recognized for its quality and the service it gives. We are prepared to furnish that paper and to print you a letter-head that is a dignified representation.

See What We Can Give You Before You Place an Order

Watch the Livestock Market

Then come to us for your meat.
You will always find our prices right.

If you are entertaining with a dinner, come and talk it over with us—we can supply you with the best in turkeys, chickens, calves, oysters, fruits, oils and vegetables.

NEW U. S. MARKET

Preusser & Hollimon, Props.
Adjoining Postoffice Columbus, N. M.

Negligees From the Far East



KIMONOS were appreciated from Japan as long ago as they take them as a matter of course in every wardrobe, and now women who have a fancy for wearing unusual negligees, are adopting in other dress borrowed from the Orient.

Sometimes they take it as they find it, and others they adapt it to their own taste in colors and styles. This misapprehension in the clothes of women of the countries proves embarrassing and the worst shops make it easy to tell in it—they have brought the far East near, and they help in when our vision and increase our respect for the art of other peoples.

The handsome costume of black satin, embellished with gold embroidered ribbon, pictured above, is a latest translation from the original Chinese, due to American fashions. Those who have had experience with this kind of dress say it never grows tedious and that it is comfortable and convenient—all these are lasting qualities and it is worth while to embody them in good black satin. It is

a modest and fascinating dress, and may prove a rival of the kimono.

"The flower of the kimono—Rose-tinted," never looked more lovely than the pretty American who has emulated something of her dress, as shown in the picture. Here are full, draped trousers of satin with an original overgarment of broad silk and accordion-pleated gossamer. Fringe is made of narrow brocade with ribbon. The turtleneck has a band of the brocade silk and crown of pleated gossamer, matching the coat. One can imagine this in rose and gold, or turquoise and silver or other lovely color combinations, the feet treated in miles of gold or silver tulle. The costume is not a copy of the original but an adaptation of it, and was presented among others designed by certain artists, as a gown in negligees.

Julia Bottomly

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Wearing Apparel for men, women and children

The Bazaar
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THE UNIVERSAL CAR

The Ford Sedan, with electric self-starting and lighting system and demountable rims with 3 1/2 inch tires front and rear, is a family car of class and comfort, both in summer and in winter. For touring it is a most comfortable car. The large plate glass windows make it an open car when desired, while in case of rain and all inclement weather, it can be made a most delightful closed car in a few minutes. Rain-proof, dust-proof, floor upholstered, broad, roomy seats. Simple in operation. Anybody can safely drive it. While it has all the distinctive and economical merits of the Ford car in operation and maintenance. Won't you come in and look it over?

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Ford Repairs
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